

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

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Telephone Number Portability)

CC Docket 95-116

RM 8535

Reply Comments of General Communication, Inc.

General Communication, Inc. (GCI) hereby submits reply comments in the above captioned proceeding.¹ The comments in this proceeding support implementation of service provider number portability in all areas of the country, including areas served by smaller local exchange carriers (LECs). The Commission must assume a leadership role in developing a national number portability policy. Service provider number portability will increase competition and therefore benefit consumers, competitors and incumbent carriers alike.

**The Parties Support Implementation of Service Provider
Number Portability As Soon As Possible Throughout the Country**

Most parties support the development and deployment of service provider number portability.² Service provider number portability allows a customer to keep the same telephone number

¹Telephone Number Portability, CC Docket 95-116, FCC 95-284 (released July 13, 1995).

²See Comments of AT&T, AHCCC, Airtouch Paging, America's Carriers Telecommunication Association, Ameritech, ALTS, Bell Atlantic, California Cable TV Association, California PUC, CTIA, CBI, Citizen's Utilities, CompTel, Ericsson Corp., GCI, GSA, GO Communications Corp., ICC, Interactive Services Assoc., Jones Intercable, LDDS, MFS, MCI, Missouri PSC, NARUC, NCTA, New York Department of Public Service, Omnipoint, PCIA, SBC Communications, Sprint, Time Warner, U.S. Intelco, US SBA and U S West.

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when changing from one carrier to another. This is vitally important if competition is to develop and succeed at the local level. The benefits of service provider number portability will be similar to the benefits achieved through 800 number portability.

Only a few LECs question the implementation of number portability.³ These incumbent LECs, mostly independents, cannot given a free pass in implementing number portability. The LECs state that the costs will outweigh the benefits and that small LECs rely on high volume customers to make up the expense of serving sparsely populated areas.⁴ OPASTCO claims that rates will increase due to the lose of customers to competition. These claims were made prior to the Commission mandating equal access and prior to the implementation of 800 number portability. Rates for customers will not increase, but will have the potential to decrease as never before. If a competitor exists, customers would receive the benefits of competition through lower prices and better services. The incumbent carrier would not be able to raise rates for certain customers because the competitor is offering service to those customers. The Commission must not allow the LECs to bind customers to incumbent carriers anywhere in the country. The Commission cannot adopt a policy that

³See Comments of Bellsouth, GTE, GVNW, Inc., NECA, OPASTCO, Pacific Telesis, TDS Telecom, Inc. and USTA.

⁴See Comments of GVNW, NECA, OPASTCO and TDS Telecom.

determines competition is inappropriate in rural areas.⁵

In implementing 800 number portability, the Commission recognized that the benefits could only be achieved if all carriers throughout the country were mandated to implement the system. 800 numbers are portable all over the country, not just in New York or Chicago. All LECs, including the smallest LECs in the country, have implemented the system and are capable of querying the 800 database so that the call can be directed to the proper carrier. Any system that is developed to implement number portability in one location of the country can be used in other locations in the country. This mandate must be national in scope.

The incumbent LEC has no incentive to implement local number portability. The Commission, working with state commissions,⁶ must force the LECs to implement the system. However, implementation throughout the country does not necessarily have to occur at the exact same time. The Commission should set out a timetable to ensure that number portability is achieved as quickly as possible. To combat the concerns of the independent LECs and to ensure that costs are not incurred if no competitor

⁵The Commission has already determined that competition is appropriate everywhere in the country through the auctioning of PCS spectrum. Lack of number portability in certain areas of the country creates a barrier to entry in those markets thereby making real competition practically impossible.

⁶As supported by the record, the Commission should not do anything in this proceeding to halt forward looking state commissions that are mandating and implementing number portability in their states.

serves an area, the Commission should mandate that the incumbent LEC be required to implement number portability within 2 years of a bona fide request. This system as proposed by GCI in its comments will ensure that LECs who do not have competitors requesting number portability will not have to implement number portability. Portability would only be required to be implemented after a bona fide request.⁷ This proposal is similar to the one offered by the Illinois Commerce Commission.⁸

Interim Solutions

All parties in support of implementation of number portability agree that the Commission must implement a long term solution to minimize the use of scarce number resources.⁹ The interim solutions including Remote Call Forwarding (RCF) and Direct Inward Dial (DID) allow customers to change service providers without the appearance of having to change their telephone numbers. These solutions have severe drawbacks including poor transmission quality, increase costs to the

⁷Independent LECs were given 3 years from the date of a request by an IXC to implement equal access. If the LEC was unable to comply in the required period, the LEC could request a waiver or extension. Equal access has greatly benefitted customers as well as carriers. Number portability can achieve the same goals.

⁸See Comments of ICC.

⁹See Comments of AT&T, AHCCC, Airtouch Paging, America's Carriers Telecommunication Association, Ameritech, ALTS, Bell Atlantic, California Cable TV Association, California PUC, CTIA, CBI, Citizen's Utilities, CompTel, Ericsson Corp., GCI, GSA, GO Communications Corp., ICC, Interactive Services Assoc., Jones Intercable, LDDS, MFS, MCI, Missouri PSC, NARUC, NCTA, New York Department of Public Service, Omnipoint, PCIA, SBC Communications, Sprint, Time Warner, U.S. Intelco, US SBA and U S West.

competitive carriers, and involvement of the incumbent LEC in processing all calls.¹⁰ Under these interim solutions, the incumbent LEC receives access charges from interexchange carriers, even when the call does not go to the incumbent LEC's customer. There are also a multitude of operational problems associated with these solutions.

If an interim solution is needed, then the new entrant should pay less for that functionality.¹¹ This is similar to the pre-equal access environment in the long distance market. Prior to Feature Group D being available, the customers of AT&T's competitors had to dial additional digits to reach their carrier of choice. Feature Group A and B access was priced below the superior access received by AT&T (Feature Group C) for this reason. If an interim solution is adopted, the price should be below that paid by the incumbent.¹²

Implementation and Operational Costs

As supported by many parties, all carriers should bear their own costs in implementing number portability.¹³ This feature

¹⁰They also involve the inefficient use of the switch, particularly those of smaller carriers.

¹¹Also, if the incumbent LEC is unable to comply with true number portability, the competing carrier should have the option of an interim solution until that carrier implements true number portability.

¹²Alternatively, the cost to the new entrant should be nothing after a certain period of time to encourage deployment of true number portability solutions. See Comments of AHCCC and NCTA.

¹³See Comments of AHCCC, ALTS, Bell Atlantic NYNEX Mobile, GCI and Omnipoint.

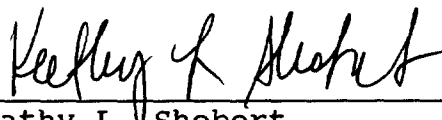
will benefit all customers and carriers alike including the incumbent LEC. There is no distinction between carriers who benefit from number portability and carriers that do not benefit. The incumbent LEC is capable of getting customers back from competing carriers and customers that originally sign up with competing carriers through number portability. This will be a basic network upgrade for the incumbent LEC and competing carriers alike. All carriers must originally design or modify their facilities to comply with the rules of the Commission.¹⁴

Conclusion

Service provider number portability is crucial to the development of competition throughout the country. The Commission should act quickly to mandate number portability in all areas of the country as outlined above.

Respectfully submitted.

General Communication, Inc.



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October 12, 1995

¹⁴Similarly, SS7 deployment was considered by the Commission to be a general network upgrade, not an upgrade specifically installed for 800 number portability.

STATEMENT OF VERIFICATION

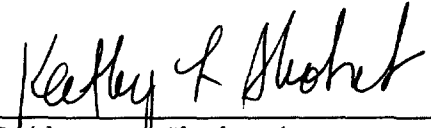
I have read the foregoing, and to the best of my knowledge, information and belief there is good ground to support it, and that it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed October 12, 1995.



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CERTIFICATE OF SERVICE

I, Kathy L. Shobert, do hereby certify that on this 12th day of October, 1995, a copy of the foregoing was mailed by first class mail, postage prepaid, to the parties listed below.



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